





DEVELOPMENT DATA TABLE:

SITE AREA:	±/ 80.78 ACRES
TAX PARCELS:	03323101, 03305103, 03305116, 03305121, 03305131, 03305132, 03305133, 03305134, 03305141, 03305110, AND 03305115
EXISTING ZONING:	R-3
PROPOSED ZONING:	MX-2(INNOV)
EXISTING USE:	VACANT
PROPOSED USES:	UP TO 280 SINGLE-FAMILY ATTACHED (TOWNHOME) DWELLING UNITS
MAXIMUM BUILDING HEIGHT:	UP TO FORTY-FIVE (45) FEET, AS PERMITTED IN THE MX-2 DISTRICT WITH INCREASED SETBACKS WHERE APPLICABLE.
PARKING:	SHALL MEET OR EXCEED ORDINANCE STANDARDS

I. GENERAL PROVISIONS

- THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY MERITAGE HOMES OF THE CAROLINAS, INC (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A SINGLE-FAMILY ATTACHED (TOWNHOME) RESIDENTIAL COMMUNITY ON THAT APPROXIMATELY 80.78-ACRE SITE LOCATED ON THE EAST SIDE OF HUTCHINSON LANE AND NORTH OF PLEASANT GROVE ROAD, MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NUMBERS 03323101, 03305103, 03305116, 03305121, 03305131, 03305132, 03305133, 03305134, 03305141, 03305110, AND 03305115.
- DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE").
- UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, OR AS OTHERWISE PROVIDED IN THE INNOVATIVE STANDARDS OF SECTION III BELOW, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MX-2 ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- THE DEVELOPMENT AND STREET LAYOUT DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF SUCH USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE ULTIMATE LAYOUT, LOCATIONS AND SIZES OF THE DEVELOPMENT AND SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED DEVELOPMENT AND SITE ELEMENTS, AND THEY MAY BE ALTERED OR MODIFIED IN ACCORDANCE WITH THE SETBACK, YARD, LANDSCAPING AND TREE SAVE REQUIREMENTS SET FORTH ON THIS REZONING PLAN AND THE DEVELOPMENT STANDARDS, PROVIDED, HOWEVER, THAT ANY SUCH ALTERATIONS AND MODIFICATIONS SHALL BE MINOR IN NATURE AND NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.
- FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER(S) OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. MINOR ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

II. PERMITTED USES

- THE SITE MAY BE DEVOTED ONLY TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF TWO HUNDRED EIGHTY (280) SINGLE-FAMILY ATTACHED DWELLING UNITS AND ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE MX-2 ZONING DISTRICT.

III. INNOVATIVE STANDARD

THE PETITIONER REQUESTS THE FOLLOWING MODIFICATIONS TO THE MX-2 ZONING DISTRICT, AS PERMITTED IN SECTION 11.208 OF THE ORDINANCE:

- MINIMUM LOT (UNIT) WIDTH OF TWENTY (20) FEET AND MINIMUM BUILDING WIDTH OF FORTY (40) FEET;
- MINIMUM INDIVIDUAL LOT AREA OF ONE THOUSAND SEVEN HUNDRED (1,700) SQUARE FEET (1 UNIT LOT);
- MINIMUM BUILDING FOOTPRINT OF ONE THOUSAND SIX HUNDRED (1,600) SQUARE FEET (2-UNIT BUILDING);
- MINIMUM INDIVIDUAL UNIT HEATED AREA OF ONE THOUSAND ONE HUNDRED (1,100) SQUARE FEET;
- MINIMUM BUILDING HEATED AREA OF TWO THOUSAND TWO HUNDRED (2,200) SQUARE FEET (2-UNIT BUILDING);
- MINIMUM SEPARATION BETWEEN BUILDINGS OF TEN (10) FEET; AND
- MINIMUM SIDE SETBACK WIDTH OF TEN (10) FEET ADJACENT TO RIGHTS-OF-WAY.

IV. TRANSPORTATION

- AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY INTERNAL PUBLIC AND PRIVATE DRIVES, AND MINOR ADJUSTMENTS TO THE LOCATIONS OF THESE DRIVES SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.
- A MAXIMUM OF ONE (1) ACCESS POINT SHALL BE PROVIDED ALONG HUTCHINSON LANE AND ONE (1) ACCESS POINT ALONG KELLY ROAD, AS GENERALLY DEPICTED ON THE REZONING PLAN.
- THE PETITIONER SHALL PROVIDE A LEFT TURN LANE ON PLEASANT GROVE ROAD AT KELLY ROAD WITH A MINIMUM OF ONE HUNDRED FIFTY (150) FEET OF STORAGE AND ONE HUNDRED (100) FOOT TAPER.
- PETITIONER SHALL DEDICATE RIGHT-OF-WAY OF PROPOSED ROAD H EXTENDING ACROSS THE CREEK AND TO THE NORTHERN PROPERTY LINE, AS GENERALLY DEPICTED ON THE REZONING PLAN, AT SUCH TIME AS THE PLATTING OF THE PORTION OF ROAD H NORTH OF THE INTERSECTION WITH ROAD J.
- PETITIONER SHALL DEDICATE RIGHT-OF-WAY OF PROPOSED ROAD E EXTENDING ACROSS THE STREAM BUFFER TO THE EASTERN PROPERTY LINE, AS GENERALLY DEPICTED ON THE REZONING PLAN, AT SUCH TIME AS THE PLATTING OF THE PORTION OF ROAD E NORTH OF THE INTERSECTION WITH ROAD F.
- PETITIONER SHALL PROVIDE A LEFT TURN LANE ON KELLY ROAD AT THE ROAD H ACCESS INTO THE SITE WITH A MINIMUM OF ONE HUNDRED FIFTY (150) FEET OF STORAGE AND ONE HUNDRED (100) FOOT TAPER.
- PETITIONER SHALL PROVIDE, OR ALLOW TO BE PROVIDED, TWENTY-FIVE (25) MILES PER HOUR (MPH) SPEED LIMIT SIGNS ON ALL NEWLY CONSTRUCTED STREETS WITHIN THE SITE.
- SUBJECT TO THE ACQUISITION OF NECESSARY OFF-SITE RIGHT-OF-WAY AND OTHER TERMS AND CONDITIONS SET FORTH HEREIN WHERE APPLICABLE, PETITIONER SHALL DEDICATE ALL RIGHTS-OF-WAY ALONG THE SITE'S FRONTAGE OF HUTCHINSON LANE IN FEE SIMPLE CONVEYANCE TO THE CITY OF CHARLOTTE BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED. RIGHT-OF-WAY DEDICATION SHALL BE SET AT TWO (2) FEET BEHIND THE BACK OF SIDEWALK WHERE FEASIBLE.
- SUBJECT TO THE ACQUISITION OF NECESSARY OFF-SITE RIGHT-OF-WAY AND OTHER TERMS AND CONDITIONS SET FORTH HEREIN WHERE APPLICABLE, THE PETITIONER SHALL DEDICATE ALL RIGHTS-OF-WAY ALONG THE SITE'S FRONTAGE OF KELLY ROAD AND PLEASANT GROVE ROAD IN FEE SIMPLE CONVEYANCE TO THE CITY OF CHARLOTTE PRIOR TO THE ISSUANCE OF THE 101ST BUILDING CERTIFICATE OF OCCUPANCY FOR THE SITE. RIGHT-OF-WAY DEDICATION SHALL BE SET AT TWO (2) FEET BEHIND THE BACK OF SIDEWALK WHERE FEASIBLE.
- UNLESS OTHERWISE STATED HEREIN, ALL TRANSPORTATION IMPROVEMENTS SHALL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY. CONSTRUCTION AND ACCEPTANCE OF THE PROPOSED TURN LANE ON KELLY ROAD AT ROAD H AND TURN LANE ON PLEASANT GROVE ROAD AT KELLY ROAD SHALL BE COMPLETED PRIOR TO THE 131ST BUILDING CERTIFICATE OF OCCUPANCY FOR THE SITE.
- RIGHT-OF-WAY AVAILABILITY.** IT IS UNDERSTOOD THAT SOME OF THE PUBLIC ROADWAY IMPROVEMENTS REFERENCED HEREIN MAY NOT BE POSSIBLE WITHOUT THE ACQUISITION OF ADDITIONAL RIGHT-OF-WAY. IF AFTER EXERCISE OF DILIGENT GOOD FAITH EFFORTS, AS SPECIFIED BY THE CITY OF CHARLOTTE RIGHT-OF-WAY ACQUISITION PROCESS AS ADMINISTERED BY THE CITY OF CHARLOTTE'S ENGINEERING AND PROPERTY MANAGEMENT DEPARTMENT, THE PETITIONER IS UNABLE TO ACQUIRE ANY LAND NECESSARY TO PROVIDE FOR ANY SUCH ADDITIONAL RIGHT-OF-WAY UPON COMMERCIALLY REASONABLE TERMS AND AT MARKET PRICES, THEN CDOT, THE CITY OF CHARLOTTE ENGINEERING DIVISION OR OTHER APPLICABLE AGENCY, DEPARTMENT OR GOVERNMENTAL BODY AGREE TO PROCEED WITH ACQUISITION OF ANY SUCH LAND. IN SUCH EVENT, THE PETITIONER SHALL REIMBURSE THE APPLICABLE AGENCY, DEPARTMENT OR GOVERNMENTAL BODY OR THE COST OF ANY SUCH ACQUISITION PROCEEDINGS INCLUDING COMPENSATION PAID BY THE APPLICABLE AGENCY, DEPARTMENT OR GOVERNMENTAL BODY FOR ANY SUCH LAND AND THE EXPENSES OF SUCH PROCEEDINGS. FURTHERMORE, IN THE EVENT ASSOCIATED PUBLIC ROADWAY IMPROVEMENTS ARE DELAYED BECAUSE OF DELAYS IN THE ACQUISITION OF ADDITIONAL RIGHT-OF-WAY AS CONTEMPLATED HEREIN, THEN THE PETITIONER WILL CONTACT THE PLANNING DEPARTMENT AND CDOT REGARDING AN APPROPRIATE INFRASTRUCTURE PHASING PLAN THAT APPROPRIATELY MATCHES THE SCALE OF THE DEVELOPMENT PROPOSED TO THE PUBLIC INFRASTRUCTURE MITIGATIONS. IF AFTER CONTACTING THE PLANNING DEPARTMENT AND CDOT TO DETERMINE THE APPROPRIATE INFRASTRUCTURE PHASING PLAN, DELAYS IN THE ACQUISITION OF ADDITIONAL RIGHT-OF-WAY EXTENDS BEYOND THE TIME THAT THE PETITIONER SEEKS TO OBTAIN A CERTIFICATE OF OCCUPANCY FOR BUILDING(S) ON THE SITE IN CONNECTION WITH RELATED DEVELOPMENT PHASING DESCRIBED ABOVE, THEN CDOT WILL INSTRUCT APPLICABLE AUTHORITIES TO ALLOW THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR THE APPLICABLE BUILDING(S); PROVIDED, HOWEVER, PETITIONER CONTINUES TO EXERCISE GOOD FAITH EFFORTS TO COMPLETE THE APPLICABLE ROADWAY IMPROVEMENTS; IN SUCH EVENT THE PETITIONER MAY BE ASKED TO POST A LETTER OF CREDIT OR A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME SUCH A CERTIFICATE OF OCCUPANCY IS ISSUED TO SECURE COMPLETION OF THE APPLICABLE IMPROVEMENTS.

V. ARCHITECTURAL STANDARDS

- PREFERRED EXTERIOR BUILDING MATERIALS: ALL PRINCIPAL AND ACCESSORY BUILDINGS SHALL BE COMPRISED OF A COMBINATION OF PORTIONS OF BRICK, NATURAL STONE (OR ITS SYNTHETIC EQUIVALENT), STUCCO, VINYL SIDING, VINYL, ALUMINUM WRAPPED WOOD FASCIA, AND/OR OTHER MATERIALS APPROVED BY THE PLANNING DIRECTOR.
- PROHIBITED EXTERIOR BUILDING MATERIALS: CONCRETE MASONRY UNITS NOT ARCHITECTURALLY FINISHED.
- PITCHED ROOFS, IF PROVIDED, SHALL BE SYMMETRICALLY SLOPED NO LESS THAN 5:12, EXCEPT THAT ROOFS FOR PORCHES AND ATTACHED SHEDS MAY BE NO LESS THAN 2:12, UNLESS A FLAT ROOF ARCHITECTURAL STYLE IS EMPLOYED.
- THE PETITIONER WILL MINIMIZE THE VISUAL IMPACT OF GARAGE DOORS VISIBLE FROM NETWORK-REQUIRED STREETS BY ADDING ADDITIONAL ARCHITECTURAL TREATMENTS SUCH AS TRANSLUCENT WINDOWS, DECORATIVE HANDLES/STRAPS, OR PROJECTING ELEMENTS OVER THE GARAGE DOOR OPENING.
- ROOF OVERHANGS, EAVES, CORNICES, CHIMNEYS, GUTTERS, VENTS, BAY WINDOWS, PILASTERS, PILLARS, OPEN PORCHES (IF PROVIDED), AND OTHER ARCHITECTURAL ELEMENTS MAY PROJECT UP TO TWENTY-FOUR (24) INCHES INTO THE REQUIRED SETBACKS.
- PORCHES OR STOOPS SHALL BE LOCATED ON THE FRONT AND/OR SIDE OF THE BUILDING.
- ATTACHED DWELLING UNITS SHALL BE LIMITED TO A MAXIMUM OF EIGHT (8) UNITS PER BUILDING OR A MAXIMUM WIDTH OF ONE HUNDRED SEVENTY FIVE (175) FEET PER BUILDING ALONG ALL PUBLIC AND PRIVATE STREETS.
- ALL TOWNHOME UNITS SHALL BE PROVIDED WITH A GARAGE FOR A MINIMUM OF ONE (1) CAR.
- THE DUMPSTER LOCATIONS AS DEPICTED ON THE REZONING PLAN ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY AND SHALL ONLY BE REQUIRED IN THE EVENT THAT ROLL-OUT TRASH SERVICE IS NOT PROVIDED FOR THE SITE.

VI. PARK DEDICATION

- IN COORDINATION WITH MECKLENBURG COUNTY PARK AND RECREATION DEPARTMENT (MCPR), PETITIONER SHALL DEDICATE AND CONVEY THE 100' SWIM BUFFER AT THE SITE'S NORTHERN PROPERTY LINE TO MECKLENBURG COUNTY FOR FUTURE GREENWAY USE, IN THE AREA AS GENERALLY DEPICTED ON THE REZONING PLAN, PRIOR TO THE ISSUANCE OF THE LAST BUILDING CERTIFICATE OF OCCUPANCY FOR THE SITE
- IN COORDINATION WITH MCPR, PETITIONER SHALL DEDICATE AND CONVEY A MINIMUM OF TWO (2) ACRES OF SITE AREA TO MECKLENBURG COUNTY FOR A FUTURE NEIGHBORHOOD PARK, IN THE AREA AS GENERALLY DEPICTED ON THE REZONING PLAN, PRIOR TO THE ISSUANCE OF THE LAST BUILDING CERTIFICATE OF OCCUPANCY.
- LAND DONATED TO MCPR SHALL STILL COUNT TOWARDS THE PETITIONER'S TREE SAVE AND COMMON OPEN SPACE CALCULATIONS.

VII. ENVIRONMENTAL FEATURES

- THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION STORMWATER ORDINANCE. THE LOCATION, SIZE, AND TYPE OF STORMWATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY TO ACCOMMODATE ACTUAL STORMWATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

VIII. LIGHTING

- ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE GREATER THAN TWENTY ONE (21) FEET IN TOTAL HEIGHT (I.E., EXCLUDING DECORATIVE LIGHTING LESS THAN 21' IN HEIGHT THAT MAY BE INSTALLED ALONG THE DRIVEWAYS AND SIDEWALKS AS PEDESTRIAN/LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.

IX. AMENDMENTS TO REZONING PLAN

FUTURE AMENDMENTS TO THE REZONING PLAN AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF A PARTICULAR TRACT WITHIN THE SITE INVOLVED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

X. VESTING RIGHTS

IF THIS REZONING PETITION IS APPROVED BY THE CHARLOTTE CITY COUNCIL THEN, PURSUANT TO SECTION 1.110 OF THE ORDINANCE, THE PETITIONER HEREBY REQUESTS A FIVE-YEAR VESTED RIGHT TO UNDERTAKE AND COMPLETE THE DEVELOPMENT OF THIS SITE UNDER THE TERMS AND CONDITIONS AS SO APPROVED, COMMENCING UPON APPROVAL OF THIS REZONING PETITION BY THE CHARLOTTE CITY COUNCIL. THE PETITIONER MAKES THIS REQUEST FOR A FIVE-YEAR VESTED RIGHT DUE TO THE SIZE AND PHASING OF THE PROPOSED DEVELOPMENT, MARKET CONDITIONS AND THE LEVEL OF INVESTMENT INVOLVED.

XI. BINDING EFFECTS OF THE REZONING DOCUMENTS AND DEFINITIONS

IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN AND THESE DEVELOPMENT STANDARDS WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.

THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER" AND "OWNER" OR "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNER OR OWNERS OF ANY PART OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.



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NC LICENSE NO. F-0374

CLIENT:



PROJECT:

Hutchinson Lane  
Subdivision  
Conditional Rezoning  
Petition # 2019-160

SHEET TITLE:

Rezoning  
Notes

SEAL:

PROJ. MGR.:	WGB
DESIGN BY:	ETS
DRAWN BY:	ETS
PROJ. DATE:	OCTOBER 2019
DRAWING NUMBER:	

1.1

WKD PROJ. NO.:

REVISED:	COMMENT:
DATE:	
01/09/2020	1 - 1ST ROUND COMMENTS REVISION
02/07/2020	2 - 2ND ROUND COMMENTS REVISION

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REZONING PLAN